

REMARKS

The Examiner has required an election in the present application between:

Species I, illustrated in Figs. 1-5;
Species II, illustrated in Figs. 6-11;
Species III, illustrated in Figs. 12-15; and
Species IV, illustrated in Figs. 16-19.

For the purpose of examination of the present application, Applicants elect Species I, illustrated in Fig(s). 1-5 with traverse.

Claims 1-5, 21 and 22 are directed to the elected species. The Examiner states that currently no claim is generic.

Applicants respectfully traverse the Examiner's holding that the present application is properly dividable by election. Under the provisions of MPEP § 803.01, at page 800-4 of the current MPEP. The MPEP clearly requires the Examiner to provide reasons and/or examples to support conclusions including the applicable criteria for independence or distinctness and identification of the burden placed on the Examiner by the presence of alleged multiple distinct inventions. No such allegations have been made by the Examiner in the present requirement. Accordingly, it is apparent that the Examiner has failed to present a *prima facie* case of

restrictability and that the requirement raised by the Examiner should be reconsidered and withdrawn.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter (Reg. No. 29,680) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

Michael K. Mutter, #29,680

MKM/apw
0649-0810P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000